

REMARKS

Claims 1, 2, 5, 6, 53, and 54 are pending. In this paper, claim 1 has been amended for clarification purposes. For the reasons noted below, it is respectfully submitted that the amendments to claim 1 raise no new issues requiring further searching or consideration by the Examiner. Entry of this paper is therefore respectfully requested.

In the Final Office Action, the Examiner maintained the rejection of claims 1, 5, 6, and 53 under 35 USC §103(a) based on an AAPA-Arata combination. Applicants request the Examiner to withdraw this rejection in light of the amendments presented in this paper.

As discussed in Applicants' previous reply, claim 1 recites "transmitting a ciphering request from the terminal to the network after call information has been transferred between the terminal and network without ciphering." As indicated, this step is required to be performed after a call has been connected to the network and some call information has been transferred to the network without ciphering.

After the ciphering has been activated in response to the request from the terminal, claim 1 recites "ciphering additional call information to be transmitted between the terminal and network after the ciphering activation completion message is received from the network, wherein the ciphering request is transmitted during transfer of data from the terminal to the network during the call."

The Examiner indicated that these features may reasonably be interpreted as ciphering all data to be transferred after all processes required for ciphering activation are performed, as disclosed in Paragraphs [3] and [4] which corresponds to AAPA. That is, it appears the Examiner has taken the position that the step of ciphering additional call information may cover

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the situation where call information is ciphered at any time after a ciphering activation completion message is received from the network.

However, the step of ciphering additional call information is recited in claim 1 after the steps of connecting a call between the terminal and the network, transferring call information between the terminal and network without ciphering the call information, and transmitting the ciphering request from the terminal to the network after the call information has been transferred between the terminal and network without ciphering. Thus, the step of ciphering additional call information is necessarily required to be performed after these earlier steps; that is, after call information has been transmitted without ciphering during the call.

To make these features more evident, claim 1 has been amended to recite “ciphering additional call information to be transmitted between the terminal and network after the ciphering activation completion message is received from the network and after the call information has been transferred between the terminal and network without ciphering, wherein the ciphering request is transmitted during transfer of data from the terminal to the network during the call and after the call information has been transferred between the terminal and network without ciphering.” These features are not taught or suggested by AAPA, whether taken alone or in combination with the Arata publication.

Furthermore, it is submitted that these amendments raise no new issues requiring further searching or consideration by the Examiner, as claim 1 as previously examined was written in a form that made it evident that the step of ciphering additional call information came after call information was transmitted without ciphering during the call.

Based on these differences, it is respectfully submitted that claim 1 is allowable over an AAPA-Arata combination. Furtherance of claim 1 and its dependent claims to allowance is respectfully requested. Applicants traverse the remaining § 103 rejection(s) on grounds that the secondary references do not teach or suggest the features added by amendment to base claim 1.

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and timely allowance of the application is respectfully requested.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
KED & ASSOCIATES, LLP



Daniel Y.J. Kim
Registration No. 36,186

Samuel W. Ntiros
Registration No. 39,318

P.O. Box 221200
Chantilly, Virginia 20153-1200
(703) 766-3777 DYK/SWN/krf

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Please direct all correspondence to Customer Number 34610

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